

## REMARKS

Applicant respectfully requests reconsideration of the present application in view of the foregoing amendments and in view of the reasons that follow. Applicant respectfully asserts that entry of the requested amendments would place the application in condition for allowance. Alternatively, entry of the requested amendments would place the application in better form for consideration on appeal.

As a preliminary matter, Applicant notes the Office Action's consideration of the Information Disclosure Statement submitted on February 14, 2005.

Claims 6 and 15-17 stand rejected under 35 U.S.C. § 103(a) as being unpatentable over U.S. Patent No. 5,040,024 to Fukuda et al. in view of Japanese Patent Publication No. JP61-180252 to Tanaka et al. Applicant gratefully acknowledges the Office Action's indication that claims 3-5, 8-12 and 14 are allowed.

By this amendment, claims 6 and 15-17 have been canceled without prejudice to or disclaimer of the subject matter contained therein. Thus, the outstanding rejections with respect to these claims have been rendered moot. Claim 8 has been amended to more fully describe the features of the container as discussed below. Claims 3-5 and 9-12 remain unchanged.

This amendment adds, changes and/or deletes claims in this application. A detailed listing of all claims that are, or were, in the application, irrespective of whether the claim(s) remain under examination in the application, is presented, with an appropriate defined status identifier. Thus, claims 3-5, 8 and 9-12 are presently pending in this application for consideration.

Although Applicant respectfully submits that the invention which is the subject matter of rejected claims 6 and 15-17 is patentable over the cited references, Applicant at this time intends to pursue patent protection for the allowed claims. The cancellation of rejected claims 6 and 15-17 is not meant to concede to the appropriateness of the rejection of these claims, but merely to expedite prosecution of the patent application.

With respect to amended claim 8, Applicant respectfully submits that claim 8 was amended to more fully describe the features of the container. Amended claim 8 is substantially similar in scope as previously presented and is still patentable over the cited references for the same reasons advanced in the response of February 14, 2006. Therefore, Applicant submits that amended independent claim 8 and claims dependent directly therefrom, namely claims 9-12 are still allowable.

Further remarks regarding the asserted relationship between any of the claims and the cited references is not necessary in view of their allowability. Applicant's silence as to the Office Action's comments is not indicative of being in acquiescence to the stated grounds of rejection.

Applicant believes that the present application is now in condition for allowance. Favorable reconsideration of the application as amended is respectfully requested.

The Examiner is invited to contact the undersigned by telephone if it is felt that a telephone interview would advance the prosecution of the present application.

The Commissioner is hereby authorized to charge any additional fees which may be required regarding this application under 37 C.F.R. §§ 1.16-1.17, or credit any overpayment, to Deposit Account No. 19-0741. Should no proper payment be enclosed herewith, as by a check or credit card payment form being in the wrong amount, unsigned, post-dated, otherwise improper or informal or even entirely missing, the Commissioner is authorized to

charge the unpaid amount to Deposit Account No. 19-0741. If any extensions of time are needed for timely acceptance of papers submitted herewith, Applicant hereby petitions for such extension under 37 C.F.R. §1.136 and authorizes payment of any such extensions fees to Deposit Account No. 19-0741.

Respectfully submitted,

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